

Members

Rep. Thomas Kromkowski, Chairperson
Rep. James Bottorff
Rep. Robert Behning
Rep. Kathy Richardson
Sen. Sue Landske
Sen. Billie Breaux
Sen. Becky Skillman
Sen. Allie Craycraft



CENSUS DATA ADVISORY COMMITTEE

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MEETING MINUTES¹

Meeting Date: August 9, 2000
Meeting Time: 10:30 A.M.
Meeting Place: State House, 200 W. Washington St., Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Rep. Thomas Kromkowski, Chairperson; Rep. James Bottorff; Rep. Robert Behning; Rep. Kathy Richardson; Sen. Billie Breaux; Sen. Becky Skillman; Sen. Allie Craycraft.

Members Absent: Sen. Sue Landske.

The Chair, Representative Kromkowski, called the meeting to order at approximately 10:40 a.m.

Committee members who were present introduced themselves.

The Chair reviewed the topics referred to the Committee by House Enrolled Act 1024-2000, SECTION 49 to standardize municipal election calendars to eliminate town conventions and the elimination of municipal elections in odd-numbered years.

The Chair recognized Mr. Spencer Valentine, Co-Director, Indiana Election Division, to discuss suggestions for amendments to the Indiana Election Code that the Division had

1. Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

previously sent to members of the Committee.² Mr. Valentine told the Committee that the issues described in the list of suggestions had come through questions brought to the Division or from review of the statutes by staff. Mr. Valentine focused the Committee's attention on items #1 and #4.

With respect to item #4, Mr. Valentine said that while Indiana law provides a deadline for the Indiana Election Commission or a county election board to decide a candidate challenge, the law does not set a deadline for a challenge to be filed. Theoretically, a challenge could be filed immediately before the deadline for deciding challenges. Mr. Valentine provided the Committee with a copy of the Indiana Election Commission's "Advisory Opinion 2000-01" which administratively sets a deadline for filing challenges before the Commission.³

With respect to Item #1, Mr. Valentine described the process available to the Division under federal and state law to eliminate duplicate voter registrations and suggested that the process could be aided by requiring an identifier on voter registrations that would assist voter registration officials in determining when voter registrations were duplicated. He noted that the typical solution adopted by other states that required an identifier was use of the last four digits of a voter's Social Security Number. Mr. Valentine also discussed how a statewide voter registration file would be useful in updating Indiana voter registration records. He said that currently, the statewide file is updated only twice each year and that the political parties would benefit from information that is updated more frequently.

The Chair recognized Mr. Pat Terrell, Political Director of the Indiana Democratic Party, who endorsed creation of a computerized statewide voter registration file. Mr. Terrell said that having such a file would permit the political parties to communicate with voters earlier which would lead to greater participation in the political process and voter turnout. Mr. Terrell noted that state political parties can now purchase voter registration lists from the Indiana Election Division at a cost of \$5,000 and that the list must still be processed by the parties to make the information useful.

Representative Behning asked Mr. Terrell if he would support use of the last four digits of a voter's social security number as an identifier. Mr. Terrell responded that he would.

The Chair recognized Ms. Laura Williams, representing the Indiana Republican Party. Ms. Williams said that she has worked with the voter registration lists purchased from the Election Division. While the list has become simpler and easier to use during the past two years, a centralized voter registration file that included a voter identifier would make communication with voters that much more effective. She said that in the course of her work, at least 200,000 registration records have been identified as duplicates and these are records that are thought to be very probably duplicates. Ms. Williams said she has seen a statewide file with a voter identifier work well in other states that have adopted such a file.

In response to a question about implementation of a four-digit identifier, Kristi Robertson, Co-General Counsel of the Indiana Election Division, explained that if Indiana law provided for use of the identifier, only new or updated registrations would be required to provide the number. Ms. Williams also pointed out that some counties already maintain Social

2. A copy of the suggestions is attached as Exhibit #1 to these Minutes.

3. A copy of the Advisory Opinion is attached as Exhibit #2 to these Minutes.

Security Numbers as part of voter registration information.

Representative Behning asked whether the state can mandate an individual to provide the voter's Social Security Number as a condition of registration. Ms. Robertson responded that a state could require a voter to provide part of the Social Security Number. Representative Behning asked whether using an individual's driver's license number would be less objectionable. There was discussion on this point that not all voters would have a driver's license and a question whether the driver's license number is subject to change.

Senator Skillman asked how many states use the last four digits of a voter's Social Security Number as an identifier. Mr. Valentine and Ms. Robertson responded that they were unsure of the exact number but thought that eight to 12 states have such a voter identifier.

Representative Richardson commented that changing a voter's registration record is not as simple as has been portrayed. In addition to possibly changing the information regarding a voter's county of residence, other information fields would require changes. She also observed that a voter registration list would never be perfectly accurate particularly if state law does not require the use of a Social Security Number identifier because there is too much variation in the way people register to vote. Representative Richardson also discussed formatting and frequency of reporting changes to the state database. She asked about payment of costs for any necessary changes needed at local voter registration offices.

Candy Marendt, Co-Director of the Indiana Election Division, emphasized that the state database contemplated by the Election Division would be structured so that only county registration officials could manipulate data regarding voters in their own counties. She also said that the database would be an Internet browser base which would probably make the system less expensive for all governmental entities involved.

Mr. Terrell said that the political parties would probably be willing to pay somewhat greater costs for access to such a database because the increased accuracy of the data would be worth a reasonable cost increase.

In response to a question by Representative Bottorff, it was clarified that duplicate registrations exist not only across county lines, but also within single counties.

Representative Kromkowski stated that the Committee would appreciate having information regarding the costs of establishing and maintaining a state voter registration database. Mr. Valentine responded that the Division is currently gathering information regarding technology at local voter registration offices but does not have sufficient information to provide an estimate. He noted that the duplicate registration elimination program spends approximately \$200,000 annually and that some of that cost would be reduced with a more accurate database. He also observed that during the past five years changes in Internet technology would permit building a database that would not have some of the flaws that some other state maintained databases have. Mr. Valentine said that the Election Division was working with local voter registration officials to address the two major concerns: local autonomy and costs.

In response to a question from Representative Kromkowski, Ms. Marendt explained the process under the National Voter Registration Act by which names of voters could be taken off registration lists. She reminded the Committee that an "inactive voter" could be removed from registration lists after two federal elections have occurred after the voter's record is placed on inactive status.

The Chair recognized Mr. Matt Brase representing the Indiana Association of Cities and Towns to speak about the two issues relating to town elections. Mr. Brase stated that of Indiana's 451 towns, 421 have populations of less than 3,500 which are the towns that would be affected by proposals to eliminate town conventions and to schedule municipal elections for even numbered years. Mr. Brase said that the IACT membership would be opposed to a proposal to change the year during which municipal elections are held. He reported that he had sent a survey to town officials to determine the opinion regarding town conventions but had no results to report for this meeting.⁴

Representative Kromkowski said that he did not favor moving municipal elections to even numbered years because he felt that municipal issues would be overshadowed by issues in a presidential election year or in a year in which statewide and congressional elections are held.

The Chair recognized Mr. Travis Worl representing the Association of Indiana Counties. Mr. Worl said his organization did not have issues to bring to the Committee other than have already been identified for this interim. Representative Kromkowski asked Mr. Worl what county clerks would think about a statewide voter registration file. Mr. Worl responded that the opinions would likely vary depending on the level of technology used in the various offices.

Senator Breaux commented that the Committee would be helped by having some cost data regarding a statewide voter registration file. Mr. Valentine said that the Election Division could have some preliminary numbers by the Committee's next meeting and more detailed data before the 2001 Session.

The Chair announced the next meeting would be held on September 21 at 10:30 a.m.

The meeting adjourned at approximately 11:45 a.m.

4. A copy of the survey and a cover letter are Exhibit 3 to these Minutes.